



General Assembly

January Session, 2005

**Amendment**

LCO No. 8075

**\*HB0575008075SR0\***

Offered by:

SEN. FREEDMAN, 26<sup>th</sup> Dist.

REP. TYMNIAK, 133<sup>rd</sup> Dist.

To: Subst. House Bill No. 5750

File No. 838

Cal. No. 625

(As Amended by House Amendment Schedule "A")

**"AN ACT CONCERNING TRESPASS, LITTERING AND  
VANDALISM ON PUBLIC LANDS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 21-37 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2005*):

5 Any town may make reasonable ordinances with reference to the  
6 vending or hawking upon its public streets or upon any state highway,  
7 except limited access highways, within such town or any land abutting  
8 such streets or highways of any goods, wares or other merchandise at  
9 public or private sale or auction, or to the vending or peddling of such  
10 articles from house to house within its limits, including the imposition  
11 of a fee, not exceeding two hundred dollars a year, applicable with  
12 respect to any person engaged in such vending, hawking or peddling,

13 for the privilege of so vending, hawking or peddling such  
14 merchandise. Any ordinance adopted pursuant to this section which  
15 requires a permit may require that no such permit shall be issued to  
16 any person who has not obtained a permit to engage in or transact  
17 business as a seller within the state in accordance with section 12-409  
18 and shall require that any permit issued pursuant to such ordinance  
19 shall be conspicuously displayed at the place the activities are  
20 undertaken. Such ordinances may provide that the authority issuing  
21 such permit may waive the permit fee for a nonprofit organization  
22 exempt from federal taxation by Section 501 of the Internal Revenue  
23 Code of 1986, or any subsequent corresponding internal revenue code  
24 of the United States, as from time to time amended, or a charitable  
25 organization. No town shall require a permit fee from any resident of  
26 this state who has resided within the state for a period of two years  
27 next preceding the date of application for such permit, who is (1) a  
28 veteran who served in time of war, as defined in section 27-103, (2) a  
29 hawker or peddler as defined in section 21-36, and (3) a principal  
30 pursuant to section 21-36. Such ordinance may provide that (A) the  
31 applicant submit to state and criminal history records checks  
32 conducted in accordance with section 29-17a and pay the cost of such  
33 criminal history records check, (B) the police department of the town  
34 arrange for fingerprinting or for conducting any other method of  
35 positive identification required by the State Police Bureau of  
36 Identification or the Federal Bureau of Identification for each criminal  
37 history records check, and (C) an application by a person with a  
38 history of criminal activity be denied upon determination that issuance  
39 of the permit would not be in the public interest. This section shall not  
40 apply to sales by farmers and gardeners of the produce of their farms,  
41 gardens and greenhouses, including fruit, vegetables and flowers, or to  
42 the sale, distribution and delivery of milk, teas, coffees, spices,  
43 groceries, meats and bakery goods, to sales on approval, to conditional  
44 sales of merchandise, or to the taking of orders for merchandise for  
45 future delivery when full payment is not required at the time of  
46 solicitation. Nothing in this section shall be construed to limit in any  
47 manner the Commissioner of Transportation's statutory authority

48 concerning state highways. Nothing in this section shall be construed  
49 as empowering any municipality to prohibit, regulate, control or  
50 impose a fee on any person operating any business on any state  
51 highway or land abutting any state highway pursuant to a contract  
52 with the state."